

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 331

February 21, 1947.
Judiciary 2.

By BURKMAN and SLOANE.

A BILL FOR

An Act to provide for removal of criminal proceedings from a justice court to a superior or municipal court.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter six hundred one (601), Code 1946, is
2 hereby amended by adding thereto the following, "If any defendant
3 named in an information filed in a justice of the peace court,
4 which charges either the commission of a felony or misdemeanor,
5 or which charges the defendant with any offense for which he
6 could be held to answer to the district court, requests the
7 cause to be transferred to a superior or municipal court within
8 the county, said cause and all the original papers shall be
9 removed immediately to such superior or municipal court, without
10 prepayment of any costs by said defendant. It shall be the duty
11 of the justice in whose court the information was originally
12 filed to see that such removal is made. Such request may be
13 made at any time before trial or a hearing is commenced."

EXPLANATION OF H. F. 331

At the present time any party to a civil action in a justice court may have the action removed to a superior or municipal court upon request. This bill would extend the right to a defendant in a criminal case.